

**REMARKS**

In the July 29, 2005 Office Action, claims 1-4, 6, 8-10, 12, 15-18, 20, 22 and 24-26 stand rejected in view of prior art, while claims 7 and 11 were indicated as containing allowable subject matter. Claims 5, 13, 14, 19, 21 and 23 were withdrawn as being drawn to a non-elected species. No other objections or rejections were made in the Office Action.

***Status of Claims and Amendments***

In response to the July 29, 2005 Office Action, Applicant has amended the claims as indicated above. Applicant wishes to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application. Thus, claims 1-22 and 24-26 are pending, with claims 1, 7, 11, 12, 22, 25 and 26 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of the above amendments and the following comments.

***Election of Species***

In paragraph 1 of the Office Action, Applicant's election without traverse in the response filed November 1, 2004 was acknowledged. Thus, non-elected claims 5, 13, 14, 19, 21 and 23 were withdrawn from further consideration. However, Applicant respectfully requests that non-elected claims 5, 13, 14, 19 and 21 be rejoined in this application upon allowance of a generic claim.

***Rejections - 35 U.S.C. § 102***

In paragraph 3 of the Office Action, claims 1-4, 6, 8, 20, 22 and 24 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,791,671 (Tang). In response, Applicant has amended independent claims 1 and 22 to clearly define the present invention over the prior art of record.

In particular, independent claims 1 and 22 recite a housing portion with a bolt bore and electrical part receiving space. The electrical part receiving space is outside the bolt

bore. Clearly, this structure is *not* disclosed or suggested by Tang or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference.

Tang discloses a cable routing assembly with a cap 142, 192 and an annular portion 148 or expansion plug 204. Tang further discloses a vertical passageway 156 or a longitudinal passageway 200. However, Tang does not disclose an electrical part receiving space outside of the vertical passageway 156 or the longitudinal passageway 200. Therefore, Applicant respectfully submits that claims 1 and 22, as now amended, are not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicant believes that dependent claims 2-4, 6, 8, 20 and 24 are also allowable over the prior art of record in that they depend from independent claims 1 and 22, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not anticipate independent claims 1 and 22, neither does the prior art anticipate the dependent claims.

Applicant respectfully requests withdrawal of the rejections.

***Rejections - 35 U.S.C. § 103***

In paragraph 5 of the Office Action, claims 9, 10, 12, 15-18, 25 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,791,671 (Tang) in view of U.S. Patent No. 4,435,983 (Shimano).

Applicants respectfully assert that independent claims 12, 25 and 26 are *not* disclosed or suggested by the Tang and Shimano combination patent or any other prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not*

make the modification obvious, unless the prior art *suggests* the desirability of the modification.

Shimano discloses a handle stem for a bicycle with electrical components. Tang also discloses a handlebar stem 26. Tang does not disclose a housing portion having an electrical part receiving space with an electrical component disposed therein. Applicant respectfully asserts that the teachings of Shimano do not direct one of skill in the art to modify the cap 142, 192 of Tang. Rather, if the device of Tang were to be modified using the disclosure of Shimano, the handlebar stem 26 of Tang would be modified to contain electrical components.

Independent claims 12, 25 and 26 require a housing portion with an electrical part receiving space having an electrical part disposed therein. Shimano only discloses a handle stem with electrical components. Therefore, the hypothetical device resulting from the combination of Tang and Shimano would only contain an electrical component in the handlebar stem. Applicants respectfully submit that one of skill in the art would not be motivated to modify the cap 142, 192 of Tang when there is no teaching or suggestion in any of the prior art, including Shimano, to modify the cap 142, 192. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicant's unique bicycle head cap unit.

Moreover, Applicant believes that dependent claims 9, 10 and 15-18 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 1, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicant respectfully requests that this rejection be withdrawn in view of the above comments and amendments.

***Allowable Subject Matter***

In paragraph 6 of the Office Action, claims 7 and 11 were indicated as containing allowable subject matter. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. In response, Applicants have amended claims 7 and 11 to place them in independent form.

***Prior Art Citation***

In the Office Action, additional prior art references were made of record. Applicant believes that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1-22 and 24-26 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

  
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